

thereafter automatically transferring the solid pharmaceuticals located in the plurality of product package template cavities into corresponding cavities of a product package member.

REMARKS

Applicants will submit a new combined oath and declaration which specifically designates the citizenship of each inventor pursuant to the Examiner's request. Additionally, Applicants have amended the title of the invention in accordance with the Examiner's request.

Applicants respectfully request reconsideration of the prior art rejections set forth by the Examiner under 35 USC §103. Applicants submit that the references of record, whether considered alone or in combination, fail to either teach or suggest Applicants presently claimed invention. Applicants claimed invention is directed to improved systems and methods for filling solid pharmaceutical product packaging materials. Claim 1 describes the invention as including steps of automatically selectively dispensing one or more solid pharmaceutical products from plural drug sources into a plurality of product package template cavities and thereafter automatically transferring the solid pharmaceuticals in the product package template cavities into corresponding cavities of a product package member.

These steps are performed automatically by a machine in accordance with the present invention and as now specified in the claims. Applicants submit that the references of record fail to either teach or suggest Applicants invention as now claimed. In particular, Applicants note that neither the Bouthiette reference, nor the Knudsen reference, alone or in combination, provide the requisite teaching or suggestion to render Applicants claimed invention obvious. In particular, Applicants note that the Bouthiette reference is merely directed to a kit which is used to sort pills. The pill sorting device of this reference is comprised of two sliding panels with

hollow bottom recesses that can be used to insert pills into the containers of the container-defining sheet. Bouthiette only teaches manual placement of one or more pills into each of the hollowed recesses. Once the pills are on the recesses corresponding to a container, the user then manually slides the panel so as to cause the pills to fall down into the containers. See specifically the Bouthiette reference in column 8, lines 1-10. Bouthiette provides no teaching or suggestion whatsoever regarding automatically filling a product package template with a machine and thereafter filling the product package cavities automatically.

The Knudsen reference, U.S. Patent No. 4,490,963, is merely directed to a machine for packaging small objects such as pills, tablets or capsules which provides a carrying strip that passes through various stations. Knudsen provides no teaching or suggestion whatsoever regarding automatically filling a product package template. The Examiner has even recognized that this shortcoming.

Applicants have also concurrently herewith submitted an Information Disclosure Statement directed to the autopack solid pharmaceutical packaging device which is automatically capable of directly filling individual product package cavities. Neither this new reference nor the Knudsen reference provides any teaching or suggestion regarding yet an additional step of the use of product package template cavities. The autopack system represents the state of the art machinery as of the filing date of Applicants' present patent application. One of the shortcomings of these systems is that the filling process could not continue until a new package member was inserted beneath the filling station. In accordance with Applicants' presently claimed invention through utilization of filling individual templates, the template filling process can run essentially continuously while further processing of a filled solid pharmaceutical

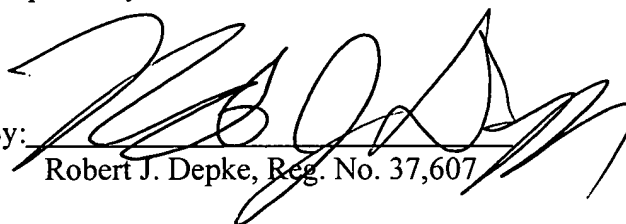
package has been undertaken. A person of ordinary skill in the art would not have been motivated to combine the Bouthiette pill sorting kit with either the autopack or the device of Knudsen, because Bouthiette is directed to a manual process whereby an individual manually inserts drugs into corresponding individual template locations. Applicants' system enables simultaneous parallel processing which could not be achieved prior to the instant invention.

For the foregoing reasons, Applicants respectfully submit that the rejections set forth by the Examiner are improper and should be withdrawn. Accordingly, Applicants respectfully request that the Examiner now all of the claims in the application.

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication to our Deposit Account No. 13-0019.

Respectfully submitted,

By:



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